

Minutes
Town of Oshkosh

Town Board Meeting – August 10, 2009 - 7:00 p.m. – Town Hall

PRESENT: Chairman Gerald Frey, Supervisor Carol Kaufmann, Supervisor Jim Erdman, Treasurer Maribeth Gabert, Clerk Jeannette Merten and audience of 11.

Chairman Frey called meeting to order at 7:00 p.m.

**MOTION BY KAUFMANN, FREY SECONDED, TO APPROVE
MINUTES DATED JULY 27, 2009 AS PRESENTED. ROLL CALL.
KAUFMANN, YES; ERDMAN, YES; FREY, YES. MOTION CARRIED.**

Public Participation:

Greg Graunke, 4683 Ulman St., as an overseer of Grundy Quarry activity, reported that most of the concerns have been resolved directed at Michels Material at Grundy Quarry. Graunke said he left a copy of the bond with Chairman Jerry Frey. He has requested blasting records from Bob Bingen and waiting to see the results from that.

Phil Grundy was asked about the quarry being sold. Graunke has concerns because the agreement says Grundy Quarry and now it is called Quarry Lake LLC. Grundy said it is a division of Grundy Enterprises and did it for legal reasons. It didn't exchange hands and still belongs to the same people. Their attorney recommended it for liability purposes. Chairman Frey will run the situation past attorney John St. Peter and see what his recommendation is. Graunke also reported that there is one more problem they are trying to resolve on Kristine St, but didn't share any details.

Lee Kienast with Kienast Excavating said that they are planning to remove topsoil at 3019 Jackson for a commodity. He believes the environmental impact would be zero to very little. Total property is 5 acres and 3 of the acres would be worked on. They already took 400 cubic yards, but need permission to take more. The County told him to check with the town first. Chairman Frey told Kienast that the board cannot give an answer. They would need to apply for the Conditional Use Permit first, then it goes before the Town of Oshkosh Planning and Zoning Commission.

David Wurn, 8121 Schneider Ave, said he is within the radius of the quarry. He had sent in a claim regarding cracked basement walls to Bob Bingen with Michels Material. He looked into several options on how to repair it. He did have a baseline inspection done on the well and there were no cracks or leakage at that time. In the last four years, he has spent a lot of time at

home feeling vibrations from the blasting. He couldn't wait any longer to get it repaired and opted for the least expense method that cost \$1500. Last year August 14th, he invited Bob Bingen to come to his house while the work was being done so he could see for himself the damage and he never came. Dated September 30, 2008 he has a letter from them denying the claim saying there was no wrong doing on their part. He tried to settle this on his own first, but now needs help from the board. Chairman Frey said he remembers the situation but thought it was taken care. Wurn provided documentation and photos. Frey will give Bob Bingen a call.

Matt Roiger with James Peterson & Sons was asked by Bob Fales to find out what need to be done to get permission to work evenings basically starting around Labor Day weekend to Sept – 22nd 23rd and 24th (mid-Sept). The request will be discussed at the August 24, 2009 meeting.

South Snell to Fernau, according to the DOT says it is a haul route. Closure cannot happen until 9pm til 5am. Board will be part of the logging.

John Stack, 29 Shorewood Drive, had been in before the board complaining about speeders on Shorewood Drive. The board placed signs, but now he is requesting signs that read, slow, children playing. Frey asked to have this on the next meeting agenda.

Planning and Zoning:

Building Inspector report.

Dave Frank, Town Building Inspector, reported early to the board having no issues.

Unfinished Business:

None.

New Business:

Speed limit concerns on Vinland Road; Board may decide to reduce the speed limit.

Laura Dutscheck, 3281 Vinland Rd., was lived there for nine-years. Her daughter was hit by a car two weeks ago. Elizabeth Malorf, 3298 Vinland, said she thought it was restricted to local traffic only. Asked for children at play signs, reduce the speed limit. Frey will be meeting with Chris Strong, City of Oshkosh, maybe get together on an agreement to reduce the speed limit.

MOTION MADE BY FREY, KAUFMANN SECONDED, TO PLACE CHILDREN AT PLAY SIGNS AND REDUCE SPEED LIMIT TO 35 MPH ON THE TOWN'S PORTIONS ON VINLAND ROAD. ROLL

CALL. ERDMAN, YES; KAUFMANN, YES; FREY, YES. MOTION CARRIED.

Problem with rubbish found in ditches.

Board agreed to having signs made and posted in areas where rubbish found in ditches has been a problem stating that it is a \$1000 fine for violators.

Approve Maintenance Agreement with Winnebago Co.

MOTION MADE BY KAUFMANN, FREY SECONDED, TO APPROVE THE MAINTENANCE AGREEMENT WITH WINNEBAGO COUNTY. ROLL CALL. FREY, YES; ERDMAN, YES; KAUFMANN, YES. MOTION CARRIED.

Set a meeting date for Comprehensive Planning review.

Board will set a date at the next meeting date.

Agree to Winnebago County initially purchasing election machine units for the entire county area that the towns would pay back.

KAUFMANN MADE MOTION, ERDMAN SECONDED, TO AGREE WITH WINNEBAGO COUNTY INITIALLY PURCHASING ELECTION MACHINES FOR TOWNS; THAT THE TOWN WOULD REPAY WINNEBAGO COUNTY FOR OUR PORTION OF THE PURCHASE. ERDMAN, YES; FREY, YES; KAUFMANN, YES. MOTION CARRIED.

Forthcoming Events of public interest:

A current budget report was provided to the board.

Chairman Frey talk to Tom Running with the Railroad Department. He told him that we still are having complaints on the train horns. He said that he will have some words with Tami Wagner, who is the person that these projects must go through. Frey will schedule a face to face meeting with Tami Wagner in the near future.

Supervisor Erdman said he will check with Walt of East Central to see if there is stimulus money to cover the cost to improve tracks for a railroad quiet zone.

Chairman Frey reported that John Buckstaff on I-Ah-Maytah Rd. is planning a neighborhood picnic. The topic will be on shoreline zoning.

Erdman reported on the Cracker Barrel and East Central meetings. He wants to attend both day of the Wisconsin Towns Association convention in Stevens Point.

Reminder, that next meeting there is a Special Town Meeting scheduled, August 24, 2009 starting prior to the regular meeting beginning at 6:45 p.m.

Clerk mentioned to begin preparing information to be put in a newsletter. Erdman suggested reminding people that concrete is not allow in road right-of-ways.

Correspondence:

1. Div. of Transp. System Development; Town of Oshkosh Wetland Mitigation Site.
2. Establish Fees for Declaration of Domestic Partnership and other related items and Increase Fee for Expedited Issuance of Marriage License to \$25 Ordinances.
3. WTA Urban Towns Committee meeting minutes and information.
4. Veolia Environmental Services; Tipping Fee increase.
5. Winnebago Co Zoning; Grundy Enterprises and Rusch/Gabert conditional use permits granted with conditions.
6. Farm Bureau; membership card.
7. Time Warner Cable; ceases certain channels.

Correspondence provided to board at meeting:

1. Letter received from town citizen Joseph Palm dated 8/7/09.

**MOTION TO PAY BILLS AS PRESENTED BY ERDMAN, KAUFMANN
SECONDED. MOTION CARRIED.**

**MOTION MADE BY KAUFMANN, SECONDED BY ERDMAN, TO
ADJOURN. MOTION CARRIED.**

Meeting adjourned at 9:20 p.m.

X

Jeannette Merten
Town of Oshkosh Clerk